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SERVICE DATE – SEPTEMBER 1, 2005

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-12 (Sub-No. 184X)

SOUTHERN PACIFIC TRANSPORTATION COMPANY–ABANDONMENT  
EXEMPTION–WENDEL-ALTURAS LINE IN MODOCK AND LASSEN  
COUNTIES, CA

Decided: August 31, 2005

Southern Pacific Transportation Company (SP) filed a petition for exemption under 49 U.S.C. 10505 [now 49 U.S.C. 10502] from the prior approval requirements of 49 U.S.C. 10903-04 [now 49 U.S.C. 10903] to abandon an 85.5-mile line between milepost 360.1, near Wendel, and milepost 445.6, near Alturas, in Modoc and Lassen Counties, CA. A decision and notice of interim trail use or abandonment (NITU) was served and published in the Federal Register on August 12, 1996 (61 FR 41823-30), authorizing, among other things, a 180-day period for SP to negotiate an interim trail use/rail banking agreement with various parties and governmental agencies for the 85.5-mile line of railroad.<sup>1</sup> The negotiation period under the NITU was extended several times; the latest decision, served on September 1, 2004, extended the negotiation period until September 3, 2005.

On August 23, 2005, U.S. Department of the Interior, Bureau of Land and Management (BLM), filed a request to extend the negotiation period under the NITU for 1 year. BLM states that the additional time is needed to negotiate with UP regarding the value of the lands to be rail banked and for BLM to secure funding to carry out rail banking arrangements negotiated with UP. In a response filed on August 29, 2005, UP states that it is agreeable to the extension request.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

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<sup>1</sup> This proceeding is related to Finance Docket No. 32760, Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company–Control and Merger–Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company (UP/SP). The common control authorized in UP/SP (see Union Pacific/Southern Pacific Merger, 1 S.T.B. 233 (1996)), was consummated on September 11, 1996. SP was subsequently merged into Union Pacific Railroad Company (UP).

It is ordered:

1. BLM's request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended to September 3, 2006.
3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary